

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 22-27 and 29-41 are pending in this application. By this Amendment, claim 22 is amended.

The courtesies extended to Applicants' representative by Examiners Prange and Yu at the interview held December 7, 2010, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

Claims 22-27 29-31, 36, 37, 40, and 41 stand rejected under 35 U.S.C. 103(a) over JP-3059476, in view of Rosen et al. (US 7,241,066), and Suchan et al. (US 7,625,114), hereafter Suchan '114.

Claims 34-35 stand rejected under 35 U.S.C. 103(a) over JP-3059476, in view of Rosen and Suchan '114, as applied to claims 22-27 29-31, 36, 37, and 40, and further in view of Fukushima (US 4,790,429).

Claims 32, 33, 38, and 39 stand rejected under 35 U.S.C. 103(a) over JP-3059476, Rosen and Suchan '114, as applied to claims 22-27 29-31, 36, 37, and 40, and further in view of Bollmeier (US 3,074,544).

At the outset, Suchan '114 is not citeable under 102/103, as it is a patent based on a national stage application that published during the international phase in a non-English language (column 1, lines 12-13). Instead, Applicants direct the Examiner to corresponding WO publication WO2004/041107. Applicants respectfully request the Examiner to rephrase the rejections above over Suchan '114, as "over Suchan WO2004/041107, as translated by Suchan '114."

During the interview of December 7, 2010, Applicants' representative submitted that nowhere did the asserted references disclose wherein "flat edges 8 of outlets 5 assist in mixing the two substances when they come into contact after application to the surface ...," as disclosed on

page 7, line 6-8 of the originally filed specification. Examiners Prange and Yu agreed that the limitation of the flat edge on the outlet appeared to distinguish at least this embodiment of the disclosed dispensers over the applied references.

Therefore, based upon the above distinguishing feature, claim 22 is amended to recite, *inter alia*, “wherein a rupturable outlet is defined for each receptacle, each rupturable outlet having a flat edge for assisting in mixing of the two substances.”

Accordingly, amended independent claim 22 is patentable over JP-3059476, in view of Rosen and Suchan WO2004/041107, as translated by Suchan ‘114. Claims 23-27 and 29-41 are likewise patentable at least based upon their dependence on an allowable base claim as well as for the additional features they recite. Withdrawal of each rejection is respectfully requested.

Conclusion

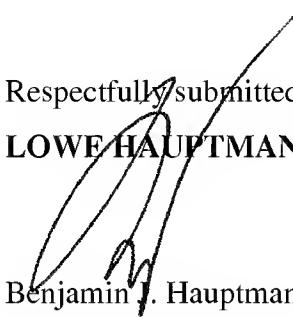
All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

The Examiner is invited to telephone the undersigned attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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